

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

CIVIL MINUTES

Case No. **3:09-cv-01509**

Date of Proceeding: September 16, 2013

Case Title: **AFD CHINA INTELLECTUAL PROPERTY LAW (USA) OFFICE, INC v. AFD CHINA INTELLECTUAL PROPERTY LLC**

Presiding Judge: **Anna J. Brown**

Courtroom Deputy: **Bonnie Boyer (sd)**

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Reporter:

RECORD OF ORDER:

(INFORMATIONAL)

The Court assumes counsel have already exchanged exhibits, exhibit lists, witness lists, and witness statements as previously ordered.

The Court reminds counsel the Pretrial Conference is scheduled to begin at 1:30 P.M., 10/24/13 and continue on 10/25/13 if necessary. The deadline for filing trial documents is Noon, 10/14/2013, and these filings require counsel to confer for submissions of:

1. **Joint (i.e., agreed on) proposed voir dire questions.**
2. **Joint (i.e., agreed on) proposed jury instructions (as to the elements of the claims and any affirmative matter on which Defendant has the burden of proof) in hard copy and on computer disk; simultaneously filed in CM/ECF and submitted in WORDPERFECT format to Brpropdoc@ord.uscourts.gov; and in compliance with the requirements of Local Rule 51-1. Ninth Circuit Model Civil Jury Instructions are available on the Internet at <http://www.ce9.uscourts.gov/web/sdocuments.nsf/civ>.**
 - The Court intends to give standard opening/closing jury instructions in the form attached.
 - The parties must submit joint proposed instructions addressing the elements of all claims, defenses, and any other unique issues pertinent to this case.
 - For all proposed jury instructions on which the parties do not agree, the party proposing the instruction must state concisely at the end of each such instruction why the proffered instruction is a correct statement of the law and why the Court should prefer the proposed instruction over any offered by opposing party.
 - The party opposing the instruction also must state concisely at the end of each such instruction why it is not a correct statement of the law and must set forth the form of instruction requested in lieu thereof together with the reasons why the Court should give the opposing party's form of instruction.
3. **Joint witness list identifying all proposed trial witnesses and indicating:**
 - a. **all witnesses whose testimony may be received without objection, and**

cc: () All counsel

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(AFD China Trial Reminder.wpd)

b. all other witness testimony that will be the subject of objection together with a concise summary of the challenged testimony, a one-line statement of the admissible purposes for which that testimony is proffered, and a one-line summary statement of the bases for all objections to that proffered testimony.

4. Joint exhibit list identifying all proposed trial exhibits and indicating:

- a. all exhibits that may be received without objection, and
- b. all remaining exhibits to be offered by any party together with a one-line summary statement of the admissible purposes for which the challenged exhibit is proffered and a one-line summary statement of the bases for all objections to any proffered exhibit.

Only copies of contested exhibits should be attached by the offering party to the Judge's copy of the exhibit list.

Contested exhibits should be indexed, tabbed, and three-hole punched down the left side. If there are numerous contested exhibits, they shall be placed in a binder clearly marked as Plaintiff's or Defendant's exhibits.

Plaintiff's exhibits shall be numbered beginning with 1-99; Defendant's exhibits shall be numbered beginning with 101-199. If there are additional parties or numerous exhibits, the parties shall contact the Courtroom Deputy for instructions.

No original trial exhibits shall be filed with the Clerk of Court.

In trial memoranda or motions in limine, the parties may elaborate on the admissible purposes for any proffered evidence that is the subject of objection and the legal bases for objections to such evidence. The Court intends to rule on all objections at the Pretrial Conference and to admit into evidence at that time all exhibits that qualify for admission. Except in unusual circumstances, therefore, the Court does not intend to take up issues of admissibility during trial.

cc: () All counsel

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